

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MOBILE TELECOMMUNICATIONS
TECHNOLOGIES, LLC
Plaintiff,

v.

CLEARWIRE CORPORATION,
CLEAR WIRELESS LLC,
CLEARWIRE US LLC
Defendant.

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CIVIL ACTION NO. 2:12-cv-308

**JOINT MOTION TO AMEND THE ORDER GRANTING
JOINT MOTION FOR DISMISSAL WITHOUT PREJUDICE**

Plaintiff Mobile Telecommunications Technologies, LLC (“MTEL”) and Defendant Clearwire Corporation, Clear Wireless LLC, and Clearwire US LLC (“Clearwire”) respectfully move the Court to amend the Order Granting Joint Motion for Dismissal Without Prejudice (Dkt. No. 211) to an order for dismissal with prejudice.

In the Joint Motion for Dismissal Without Prejudice (Dkt. No. 210) that was granted by this Court (Dkt. No. 211), the parties represented to the Court that upon funding of the settlement they would file a joint motion to amend and dismiss with prejudice. Accordingly, the settlement has been funded, and the parties hereby move to amend the Order Granting Joint Motion for Dismissal Without Prejudice (Dkt. No. 211) to an order dismissing all claims and counterclaims in this action asserted between them with prejudice. Each party shall bear its own attorneys’ fees and costs.

A proposed order granting the relief requested is attached.

Dated: March 7, 2014

Respectfully submitted,

/s/ Deron R. Dacus

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ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 7th day of March, 2014 with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Melissa R. Smith

Melissa R. Smith